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March 15, 2023

### **VIA ECF**

The Honorable Vincent L. Briccetti  
United States District Judge  
United States Courthouse  
300 Quarropas Street, Room 630  
White Plains, New York 10601

Re: *In Re USAA Data Security Litigation*, Case No. 7:21-cv-05813-VB (S.D.N.Y.)

Dear Judge Briccetti:

As ordered by the Court on February 1, 2023 (Dkt. 55), the Parties jointly submit this letter concerning the status of settlement discussions. The Parties believe that enough initial discovery has been conducted to allow for meaningful discussions. The Parties have currently scheduled a mediation in person with former Judge Diane M. Welsh (Ret.) of JAMS on June 5, 2023, which was the first date available for her and the parties given her busy calendar.

In the meantime, the Parties write to request a three (3) month adjournment of all current discovery deadlines to give the mediation process a chance to work without incurring unnecessary discovery costs. The current deadline is shown in the chart below with the proposed new deadline:

<b>Current Deadline:</b>	<b>Extended to:</b>
All fact discovery as to class certification shall be completed by June 30, 2023.	September 29, 2023
Non-expert depositions shall be completed by June 30, 2023.	September 29, 2023
Requests to admit shall be served by May 31, 2023.	August 31, 2023
All expert discovery, including expert depositions, in support of class certification shall be completed by September 29, 2023.	December 22, 2023
Plaintiff's expert disclosures in support of class certification shall be made by July 5, 2023.	October 5, 2023
Defendant's expert disclosures in support of	December 1, 2023

*The Honorable Vincent L. Briccetti, U.S.D.J.*

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<b>Current Deadline:</b>	<b>Extended to:</b>
class certification shall be made by September 1, 2023.	
Plaintiffs' Motion for Class Certification shall be filed October 31, 2023.	January 31, 2024
Defendant's Response to Plaintiffs' Motion for Class Certification shall be filed by November 30, 2023.	February 28, 2024
Plaintiffs' Reply in Support of Class Certification shall be filed by December 15, 2023.	March 15, 2024
Scheduling Conference scheduled for September 27, 2023 at 9:30.	December 21, 2023, or to be set by Court

The Parties will respectfully provide another update to the Court on or before June 9, 2023.

Respectfully submitted,

**GAINEY McKENNA & EGLESTON**

*/s/ Thomas J. McKenna*

Thomas J. McKenna

TJM/nr

cc: All Counsel of Record (*via* ECF)

SO ORDERED:

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Honorable Vincent L. Briccetti